

# UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America )

v. )

ROBERT FERDINAND ANNEHEIM, a/k/a "Bobby" )

Date of Previous Judgment: January 10, 2000 )

(Use Date of Last Amended Judgment if Applicable) )

Case No: 5:99CR20-02

USM No: 19594-057

Pro Se Motion

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months **is reduced to** \_\_\_\_\_.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 34

Amended Offense Level: 34

Criminal History Category: II

Criminal History Category: II

Previous Guideline Range: 168 to 210 months

Amended Guideline Range: 168 to 210 months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☒ Other (explain): As the defendant was not held responsible for any crack cocaine, Amendment 706 is not applicable and no reduction in sentence is warranted.

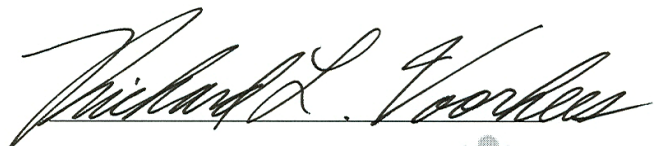
### III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated January 10, 2000, shall remain in effect.

**IT IS SO ORDERED.**

Order Date: March 3, 2009

Effective Date: \_\_\_\_\_  
(if different from order date)



Richard L. Voorhees  
United States District Judge

